

08/25/98
1512 U.S. PTO

NEW, CONTINUATION, DIVISIONAL OR
CONTINUATION-IN-PART APPLICATION
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 0315-000460
Express Mail Label No. EH757439601US
Date August 25, 1998

JC135 U.S. PTO 09/13/98 65
08/25/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a patent application for **Compressor Capacity Modulation**

identified by: First named inventor Jean-Luc Caillat
 or Attorney Docket No. (see above)

1. Type of Application

This application is a new (non-continuing) application.

This application is a continuation / divisional / continuation-in-part of prior application No. _____. Amend the specification by inserting before the first line the sentence:

--This is a [continuation/division/continuation-in-part] of United States patent application No. ____, filed _____.--

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 08-0750 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

2. Contents of Application

a. Specification of 28 pages;

A microfiche computer program (Appendix);
 A nucleotide and/or amino acid sequence submission;

Because the enclosed application is in a non-English language, a verified English translation is enclosed will be filed.

Cancel original claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)

b. Drawings on SIX sheets;

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- c. A signed Oath is enclosed in accordance with 37 C.F.R. §1.53(f).

The enclosed Oath is newly executed / a copy from a prior application under 37 C.F.R. §1.63(d) / accompanied by a statement requesting the deletion of person(s) not inventors in the continuing application.

d. **Fees**

FILING FEE	Number	Number	Basic Fee
CALCULATION	Filed	Extra	Rate
Total Claims	29 - 20 =	9 × \$22.00	= \$198.00
Independent Claims	3 - 3 =	0 × \$82.00	= 0.00
Multiple Dependent Claim(s) Used		\$270.00	=
FILING FEE – NON-SMALL ENTITY			\$988.00
FILING FEE - SMALL ENTITY: Reduction by 1/2			
<input type="checkbox"/> Verified Statement under 37 C.F.R. §1.27 is enclosed.			
<input type="checkbox"/> Verified Statement filed in prior application.			
Assignment Recordal Fee (\$40.00)			\$40.00
37 C.F.R. §1.17(k) Fee (non-English application)			
TOTAL			\$1028.00

A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 08-0750. A duplicate copy of this document is enclosed.

- The calculated fees will be paid within the time allotted for completion of the filing requirements.
- The calculated fees are to be charged to Deposit Account No. 08-0750. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

- Foreign Priority:** Priority based on _____ Application No. _____, filed _____, is claimed.
- A copy of the above referenced priority document is enclosed / will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).
- Provisional Application Priority:** Priority based on United States Provisional Application No. _____, filed _____, is claimed under 35 U.S.C. §119(e).

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4. Other Submissions

- A Preliminary Amendment is enclosed.
- An Information Disclosure Statement, _____ sheets of PTO Form 1449, and _____ patent(s)/publications/documents are enclosed.
- A power of attorney
- is submitted with the new Oath/Declaration.
- is of record in the prior application and is in the original papers / a copy is enclosed.
- An Assignment of the invention
- is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.
- is of record in a prior application. The assignment is to _____, and is recorded at Reel _____, Frame(s) _____.
- An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.
- An Express Mailing Certificate is enclosed.
- Other: _____

Attention is directed to the fact that the correspondence address for this application is:

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600.

Respectfully,


Richard L. Carlson
Reg. No. 27863

Date 8/25/98
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August 25, 1998

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

EXPRESS MAILING CERTIFICATE

Applicant: Jean-Luc Caillat

For: Compressor Capacity Modulation

Docket: 0315-000460

Attorney: Richard L. Carlson

"Express Mail" Mailing Label Number EH757439601US

Date of Deposit August 25, 1998

I hereby certify and verify that the accompanying check for \$1028.00 (\$988.00 for filing fee and \$40.00 for assignment recordal fee), transmittal letter (in duplicate), 28 page application including at least one claim and an Abstract, executed Oath and Power of Attorney, 6 sheets of drawings, and executed Assignment with attached Cover Sheet For Recordal Of Document (Patent) are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Jeanette R. Fithian
Jeanette R. Fithian
Signature of Person Mailing Documents